

75  
BA 4/4/03

P10/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/683,842
		Filing Date	02/21/2002
		First Named Inventor	Tzu-Li Tsai
		Group Art Unit	2615
		Examiner Name	
Total Number of Pages in This Submission	28	Attorney Docket Number	ACIP0008USA

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<input type="checkbox"/> Remarks _____		

RECEIVED  
MAR 19 2003  
GROUP 3600

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

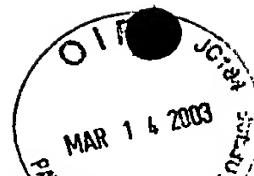
Firm or Individual name	WINSTON HSU
Signature	<i>Winston Hsu</i>
Date	3/16/2003

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: \_\_\_\_\_

Typed or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

## Complete if Known

Application Number	09/683,842
Filing Date	02/21/2002
First Named Inventor	Tzu-Li Tsai
Examiner Name	
Art Unit	2615
Attorney Docket No.	ACIP0008USA

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number 50-0801  
Deposit Account Name North America International Patent Office

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375			Utility filing fee	
1002 330	2002 165			Design filing fee	
1003 520	2003 260			Plant filing fee	
1004 750	2004 375			Reissue filing fee	
1005 160	2005 80			Provisional filing fee	
<b>SUBTOTAL (1)</b>		(\$ 0.00)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20**	=	X =
Claims	- 3**	=	X =
Multiple Dependent			=

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9			Claims in excess of 20
1201 84	2201 42			Independent claims in excess of 3
1203 280	2203 140			Multiple dependent claim, if not paid
1204 84	2204 42			** Reissue independent claims over original patent
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>		(\$ 0.00)		

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ 0.00)

## SUBMITTED BY

Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526	Telephone	886289237350
Signature	<i>Winston Hsu</i>				

(Complete if applicable)

Date

2/16/2003

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

RECEIVED  
MAR 19 2003  
GROUP 3600



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Application Number</b> 091683,842 <b>Filing Date</b> 02/21/2002 <b>First Named Inventor</b> TZU-CHI TSAI <b>Art Unit</b> 2615 <b>Examiner Name</b> <b>Attorney Docket Number</b> AC1 P0008 USA	
Sheet	1	of	1		

## U.S. PATENT DOCUMENTS

RECEIVED  
MAR 19 2003  
GROUP 3600

## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5      Applicant: Tzu-Li Tsai,  
              Yen-Ching Chen,  
              Szu-Hsiung Ko,  
Filing Date: 02/21/2002  
Serial No.: 09/683,842

RECEIVED  
MAR 19 2003  
GROUP 3600

Art Unit: 2615  
Docket No.: ACI008USA

10     Title: Updating System For Digital Players And Method of Using The Same

To:      The Commissioner of Patents and Trademarks  
              Washington, D.C. 20231

15     Subject: Information disclosure statement Under  
              37C.F.R. §1.56

Dear Sir:

20     This is an Information Disclosure Statement in accordance with the duty to disclose information material to patentability under 37 C.F.R. §1.56. Applicants wish to make of record the document listed on the accompanying form PTO/SB/08A. It is respectfully  
25     requested that the Examiner initial the cited reference on the form and that it be made of record in the application and that a copy of the initialed form be sent to Applicants with the next communication from the Examiner.

30

Since the IDS is filed before the mailing date of a first Office action on the merits, a petition to request consideration of the information disclosure statement is hereby requested according to 37C.F.R. §1.97(b). The  
35     prior art patent contained in the information

disclosure statement was cited in communications from the Taiwan Intellectual Property Office on Nov. 28, 2002 for a counterpart foreign application. Since this  
5 IDS is being submitted within three months of the date in which this prior art patent was first cited, the applicant sincerely hopes that the examiner can consider the item contained in the information disclosure statement.

10 According to the requirement set forth in 37 C.F.R. §1.98 and M.P.E.P. 609 (August 2001), the applicant is submitting a copy of the cited reference (Taiwan Patent No. 412725, "OPTICAL DISK DRIVE") and a concise explanation of the relevance in this  
15 application hereinafter.

Fig.1 of Taiwan Patent No. 412725 appear to be the most relevant drawings, and show a block diagram of an optical disc drive. The purpose of the prior art  
20 is used to solve the problem of power failure during an updating process of an optical disc drive. In the prior art reference, the optical disc drive comprises a system controller 1, which is electrically connected to a personal computer through the interface 28, and  
25 a flash memory 22 recorded with programs for controlling the operation of the system controller 1.

The flash memory 22 is divided to two parts, which are a protected area and an unprotected area. The  
30 protected area is read only and recorded with programs that can provide a basic updating function, and the unprotected area stores programs which can be updated.

Therefore, if any error happens due to some unexpected situation, such as power failure, during the updating process, the optical disc drive can resume the updating process according to the programs recorded in the 5 protected area and work successfully thereby. It is noted that the prior art invention can only performs the updating process under a control of the personal computer which is connected to interface 28.

10 Claim 1 of the present application is repeated below for reference:

15 "1. An updating system for a digital player comprising:  
a primary module comprising a first memory module  
for storing software; and  
a secondary module comprising a second memory  
module and said primary module;  
wherein an updating instruction is sent from said  
primary module to said secondary module to activate  
20 a predetermined program for updating said second memory  
module by means of said software stored in said first  
memory module."

25 Claim 1 of the present application shows that the primary module in the present invention can work independent of other devices, such as a personal computer, though it can also be assisted with other devices. Therefore, the structure of the digital player and the method of the updating method thereof in the 30 present application are apparently different from the optical disc drive and the updating method thereof revealed in the cited prior art.

It is therefore believed that claim 1 of the present application is substantially different from the prior art patent TP No. 412725. The independent claims 10, 5 19, and 27 also show the differences/nonobviousness clearly in the same manner. Since all other claims are dependent on claims 1, 10, 19 and 27, they are believed to be substantially different from the prior art patent TP No. 412725 as well.

10

Sincerely yours,

15

Winston Hsu

Date: 3/6/2003

Winston Hsu, Patent Agent No. 41,526

P.O. BOX 516

Merrifield, VA 22116

20 U.S.A.

e-mail: [winstonhsu@naipo.com.tw](mailto:winstonhsu@naipo.com.tw)